IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

ANTONIA M. HARRIS

PLAINTIFF

VS

45CI1:21-cv-0245-JA

J.C. PENNEY CORPORATION, INC

DEFENDANT

CLERK'S CERTIFICATE

I, ANITA WRAY, Circuit Clerk of Madison County, Mississippi, do hereby certify that the above enclosed instrument of writing is a true and correct copy of the papers filed in the case of ANTONIA M. HARRIS v J.C. PENNEY CORPORATION, INC and is a matter of record in the Circuit Clerk's Office in Madison County, Mississippi.

THIS, the 21ST day of OCTOBER 2021.

GOD WE THIS IN THE SAME OF MADISON CO.

ANITA WRAY
CIRCUIT CLERK
WHO BOOK TO THE CONTROL OF THE CONTROL OF

Case 3:21-cv-00679-TSL-MTP Document 1-1 Filed 10/22/21 Page 2 of 10

Mississippi Electronic Courts
Twentieth Circuit Court District (Madison Circuit Court)
CIVIL DOCKET FOR CASE #: 45CI1:21-cv-00245-JA
Internal Use Only
Edit Case Data
Edit Case Participants

Harris v. J. C. Penney Corporation, Inc. Assigned to: Dewey Arthur

Upcoming Settings:

None Found

Date Filed: 09/13/2021 Current Days Pending: 38 Total Case Age: 38 Jury Demand: Plaintiff

Nature of Suit: 187 Premises Liability

Plaintiff

Antonia M. Harris

represented by Antonia M. Harris PRO SE

V.

Defendant

J. C. Penney Corporation, Inc.
645 Lakeland East Drive. Suite 101
Flowood, Ms 39232
Through its agent for service of process CT Corporation System

Date Filed	#	Docket Text
09/13/2021	9/03*1 =1	COMPLAINT Trial by Jury against J. C. Penney Corporation, Inc., filed by Anthony M. Harris. (Attachments: # 1 Civil Cover Sheet,) (Sanders, Fannie) (Entered: 09/13/2021)
09/13/2021	0/07 2 =1	SUMMONS Issued to Attorney as to (J. C. Penney Corporation, Inc. through its Agent for Service of Process) (Sanders, Fannie) (Entered: 09/13/2021)
09/13/2021	18 to 3 = 1	(Court only) Civil Case Filing Fee: \$161.00, Method of Payment: Check, Check No. 447096, Paid By: Dudley Debosier Injury Lawyer, Remarks: n/a. (Sanders, Fannic) (Entered: 09/13/2021)





STATE OF MISSISSIPPI, COUNTY OF MADISON
I, Anita Wray, Clerk of the Circuit Court in and for the said State
I, Anita Wray, Clerk of the Circuit Court in and for the said State
and County, do hereby certify that the above and foregoing is a true
and correct copy of the original
and the same is of record in this office in

Book no.

Given under my hand and the seal of the Circuit Court at Canton
this the
Anita Wray Circuit Clerk

Anita Wray Circuit Clerk

Case 3:21-cv-00679-TSL-MTP Document 1-1 Filed 10/22/21 Page 3 of 10

IN THE CHECUIT COURT OF MADISON COUNTY

ANTONIA M. HARRIS

PLAINTIFF

VERSUS

J. C. PENNEY CORPORATION, IN

ANITA WBAY, GROUT CLERK CIVIL ACTION NO.

NITA WEAT, GIRCUIT CLERK

GODDENENIA AND

CI-2021-0245-JA

COMPLAINT Trial by Jury Requested

Comes now Plaintiff, ANTONIA M. HARRIS, and files this her complaint against the Defendant, J. C. PENNEY CORPORATION, INC. and in support thereof would respectfully show unto the Court the following facts to-wit:

PARTIES

- 1. Plaintiff, ANTONIA M. HARRIS, is an adult resident citizen of Madison County, Mississippi.
- 2. Defendant, J. C. PENNEY CORPORATION, INC., (hereinafter "J. C. PENNEY"), or in the alternative, an affiliate thereof, upon information and belief, is a foreign corporation, authorized to do and doing business in the State of Mississippi, with its agent for service of process being CT Corporation System, 645 Lakeland East Drive, Suite 101, Flowood, MS 39232.

JURISDICTION AND VENUE

- 3. Jurisdiction and venue are proper in Madison County Circuit Court. The Madison County Circuit Court has *in personam* jurisdiction over Defendant because the negligent acts and omissions of Defendant were committed in whole or in part in the State of Mississippi.
- 4. Venue is proper in Madison County, Mississippi, pursuant to Miss. Code Ann. §11-11-3 since the alleged acts of the negligence occurred in Madison County.

FACTS

- 5. On or about November 14, 2020, Plaintiff, ANTONIA M. HARRIS was a patron on the premises of J. C. PENNEY, in Ridgeland, Mississippi.
- 6. At or about the time and place alleged above, Plaintiff was walking in the salon at J. C. PENNEY.
- 7. Plaintiff slipped and fell in some liquid substance on the floor of the salon at J. C. PENNEY.
- 8. At all material times, J. C. PENNEY, through the actions of its employees, had actual or constructive knowledge of the hazardous condition in the salon.
- 9. J. C. PENNEY, through the actions of its employees, created the dangerous or hazardous condition.
- 10. The presence of the liquid substance on the floor in the salon at J. C. PENNEY presented an unreasonable risk of harm to patrons, such as Plaintiff.
 - 11. The risk of harm was reasonably foreseeable to J. C. PENNEY.
- 12. J. C. PENNEY failed to exercise reasonable care in light of their knowledge of the hazardous condition that caused the damage alleged herein.

NEGLIGENCE OF DEFENDANT

- 13. This incident was caused by the fault and negligence of the Defendant, J. C. PENNEY, in the following non-exclusive respects:
 - a. By failing to maintain their premises in a safe condition;
 - b. By failing to warn Plaintiff of the unsafe condition;
 - c. By failing to inspect the area and/or to remove such hazards;
 - d. By creating the dangerous condition that injured Plaintiff;

- e. By failing to remove the liquid substance on the floor of the salon;
- f. By failing to prevent Plaintiff from entering into what defendant knew or should have known was an unsafe area;
- g. By failing to follow their policies and procedures;
- h. Gross negligence and a willful, wanton and/or reckless disregard for the safety of patrons such as Plaintiff; and
- i. Other acts of negligence that were the cause of this incident and will be shown at the trial of this matter.

DAMAGES

- 14. Solely as a result of the negligence of the Defendant, ANTONIA M. HARRIS has sustained the following non-exclusive elements of damages:
 - a. Physical pain and suffering (past, present, and future);
 - b. Mental anguish (past, present, and future);
 - c. Loss of enjoyment of life (past, present, and future);
 - d. Disfigurement and disability;
 - e. Medical Expenses (past, present, and future);
 - f. Lost Wages/Earnings (past and future);
 - g. Loss of earning capacity; and
 - h. Other elements of damages developed during discovery and/or demonstrated with particularity at the trial of this matter.

PUNITIVE DAMAGES

15. Plaintiff asserts the acts of Defendant were willful, wanton, malicious and grossly negligent. Plaintiff requests punitive damages from Defendant.

Case 3:21-cv-00679-TSL-MTP Document 1-1 Filed 10/22/21 Page 6 of 10

Case: 45Cl1:21-cv-00245-JA Document #: 1 Filed: 09/13/2021 Page 4 of 6

WHEREFORE, PREMISES CONSIDERED, Plaintiff, ANTONIA M. HARRIS, demands judgment of and from Defendant, J. C. PENNEY CORPORATION, INC., and requests that this Honorable Court award damages against the Defendant to the Plaintiff for all past and future medical expenses, physical injuries, past pain, suffering, and mental anguish, lost earnings, travel expenses, loss of earning capacity, and other damages both general and specific, in an amount to be determined, reasonably believed to be in excess of this Court's jurisdictional minimum. Plaintiff further prays for punitive damages from the Defendant due to the willful, wanton and grossly negligent actions of the Defendant and Plaintiff prays for general relief along with all attorney's fees, costs, and expenses incurred in bringing this action, and such other equitable relief that this Honorable Court deems appropriate.

This the ____ day of September, 2021.

Respectfully Submitted:

DUDLEY DESIER, P.L.C.

LAUREN CAVALIER, Bar Roll No. 105114 Counsel for Plaintiff, ANTONIA M. HARRIS

OF COUNSEL:

DUDLEY DeBOSIER PLC

1075 Government, St.

Baton Rouge, Louisiana 70802

Telephone:

(225) 478-4242

Facsimile:

(225) 478-4292

lcavalier@dudleydebosier.com

Case 3:21-cv-00679-TSL-MTP Document 1-1 Filed 10/22/21 Page 7 of 10

Case: 45Cl1:21-cv-00245-JA



Filed: 09/13/2021 Page 5 of 6

LAUREN E. CAVALIER, Attorney

(225) 478-4242 Direct Dial (225) 478-4292 Facsimile

LCavalier@DudleyDeBosier.com

ANDRAE' M. MELANCON, Assistant

(225) 478-4244 Direct Dial (225) 478-4294 Facsimile

AMelancon@DudleyDeBosier.com

DUDLEY DEBOSIER

INJURY LAWYERS

BATON ROUGE NEW ORLEANS SHREVEPORT LAFAYETTE **DENHAM SPRINGS**

1075 Government Street Baton Rouge, Louisiana 70802

September 7, 2021

VIA CERTIFIED MAIL Tracking No. 7019 2970 0002 2586 3177

The 20th Judicial District **Madison County** 128 West North Street Canton, Mississippi 39046

RE:

Antonia M. Harris

NEW COMPLAINT

Dear Sir or Madam.

Please find enclosed herewith, the original and two (2) copies of the Complaint, as well as two (2) Summons in regard to the above referenced matter.

Furthermore, please file the original(s) into the record and return for Defendant, J.C. Penney Corporation, Inc, a stamped filed copy of the Complaint and the Summons via first-class mail in the self-addressed envelope being provided for your convenience.

Per your request, please find enclosed herewith, our firm check no. 447096 in the amount of \$161.00 in payment of filing and service fees.

Thank you for your assistance in this matter. If you should have any questions, please do not hesitate to contact me.

Sincerely,

LEC/amm Enclosures

Case 3:21-cv-00679-TSL-MTP Document 1-1 Filed 10/22/21 Page 8 of 10

Case: 45Cl1:21-cv-00245-JA Document #: 1 Filed: 09/13/2021 Page 6 of 6 FEE BILL, CIVIL CASES, CIRCUIT COURT

State of Mississippi Madison County

ANTHONY M HARRIS VS J C PENNEY CORPORATION

Case # CI-2021-0245	Acct #	Paid By	CHECK	447096	Rct#	93238
CV Li CV CC	LERK'S FEE AW LIBRARY OURT REPORTER TAX OURT EDUCATION OURT ADMINISTRATO IVIL LEGAL ASSIST OMPREHENSIVE ELEC JRY TAX ONSTITUENTS FE ECORDS MANAGEMENT JDICIAL SYS OPERA	OR CANCE FUND CTRONIC CT		85.00 2.50 10.00 2.00 2.00 5.00 10.00 3.00 .50 1.00 40.00		
	DICIAL SIS OPERA	TION FUND		40.00		

Total \$ 161.00

Payment received from DUDLEY DEBOSIER INJURY LAWYERS

COVER SHEET	Court Identification Do	ocket # Case Year	Docket Number						
Civil Case: Filing For	-cv-00245 A Opcumen	7711 FX97 99713/2021	PAUL DIECE						
(To be completed by Attorney		Court ID	1002 173						
Prior to Filing of Pleading		н, сі, со)	LD A						
The to time of the dame		717	Local Docket ID						
Extractourous e	07/02		fig was life in						
Mississippi Supreme Court	Form AOC/01 Month Date	Year	N. 1. 1881 - 1 - 1886						
Administrative Office of Courts	(Rev 2020) This area to be completed		se Number if filed prior to 1/1/94						
In the Circui		County - 2016	Judicial District						
Origin of Suit (Place an "X" in one box		ralled Transfer from Other or	Other .						
	nstated Foreign Judgment Enr pened Joining Suit/Action	rolled Transfer from Other co	ourt Other						
Individual Harris	Suit Should Be Entered First - Enter Ad		<u> </u>						
Last Name	First Name	Maiden Name, if applicat	ole M.I. Jr/Sr/III/IV						
		ministrator(trix) of an Estate, and enter style:	ne w.i. 1731/11/17						
Estate of									
	Is acting in capacity as Business Owner/Ope	erator (d/b/a) or State Agency, and enter entit	γ						
D/B/A or Agency									
Business									
		agency - If Corporation, indicate the state wh	ere incorporated						
D/B/A	s filing suit in the name of an entity other th	an the above, and enter below:							
	Congot Street Boto	0 101 16:000 7000							
		Rouge Louisiana 70802	156114						
Attorney (Name & Address) Laurer	VE. Cavalier		MS Bar No. 105114						
Check (x) if Individual Filipe In	Mai Pleading is NOT an attorney								
Signature of Individual Filing:									
Defendant - Name of Defendant - Ent	er Additional Defendants on Separate	Form							
Individual									
Last Name	First Name	Malden Name, if applicab							
Check (x) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:									
Estate of Check (x) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:									
D/B/A or Agency	in is acting in capacity as business Owner/C	operator (0/0/a) or State Agency, and enter en	rity:						
7 0 0	orporation, inc								
		agency - If Corporation, indicate the state who	ere incorporated						
	it is acting in the name of an entity other tha		are mearporates						
D/B/A									
Attorney (Name & Address) - If Known 🔱	inknown.		MS Bar No.						
Check (x) if child support is contem		Alcohol/Drug Commitment (Voluntary)	Real Property						
*If checked, please submit completed Chile	d Support Information Sheet with this Cover Sheet	Other	Adverse Possession						
Nature of Suit (Place an "X" in one box		Children/Minors - Non-Domestic	Ejectment						
Domestic Relations	Business/Commercial	Adoption - Contested	Eminent Domain						
Child Custody/Visitation Child Support	Accounting (Business) Business Dissolution	Adoption - Uncontested	Eviction						
Contempt	Debt Collection	Consent to Abortion Minor Removal of Minority	Judicial Foreclosure						
Divorce:Fault	Employment	Other	Lien Assertion Partition						
Divorce: Irreconcilable Diff	Foreign Judgment	Civil Rights	Tax Sale: Confirm/Cancel						
Domestic Abuse	Garnishment	Elections	Title Boundary or Easement						
Emancipation Modification	Replevin	Expungement	Other						
Paternity	OtherProbate	Habeas Corpus Post Conviction Relief/Prisoner	Torts						
Property Division	Accounting (Probate)	Other	Bad Faith						
Separate Maintenance	Birth Certificate Correction	Contract	Fraud Intentional Tort						
Term. of Parental Rights-Chancery	Mental Health Commitment	Breach of Contract	Loss of Consortium						
UIFSA (eff 7/1/97; formerly URESA) Other	Conservatorship	Installment Contract	Malpractice - Legal						
Appeals		Insurance							
CDV-04-04-1-0-04	Guardianship Joint Conservatorship & Guardianship	t-rand	Malpractice - Medical						
Administrative Agency	Joint Conservatorship & Guardianship Heirship	Specific Performance	Mass Tort						
County Court	Joint Conservatorship & Guardianship Heirship Intestate Estate	t-rand	Mass Tort Negligence - General						
County Court Hardship Petition (Driver License)	Joint Conservatorship & Guardianship Heirship Intestate Estate Minor's Settlement	Specific Performance Other Statutes/Rules Bond Validation	Mass Tort						
County Court Hardship Petition (Driver License) Justice Court	Joint Conservatorship & Guardianship Heirship Intestate Estate	Specific Performance Other Statutes/Rules Bond Validation Civil Forfeiture	Mass Tort Negligence - General Negligence - Motor Vehicle						
County Court Hardship Petition (Driver License)	Joint Conservatorship & Guardianship Heirship Intestate Estate Minor's Settlement Muniment of Title Name Change Testate Estate	Specific Performance Other Statutes/Rules Bond Validation Civil Forfeiture Declaratory Judgment	Mass Tort Negligence - General Negligence - Motor Vehicle Premises Liability Product Liability Subrogation						
County Court Hardship Petition (Driver License) Justice Court MS Dept Employment Security	Joint Conservatorship & Guardianship Heirship Intestate Estate Minor's Settlement Muniment of Title Name Change	Specific Performance Other Statutes/Rules Bond Validation Civil Forfeiture	Mass Tort Negligence - General Negligence - Motor Vehicle Premises Liability Product Liability						

Filed: 09/13/2021 Page 1 of 1

IN THE CIRCUIT COURT OF MADISON COUNTY

ANTONIA M. HARRIS

PLAINTIFF

VERSUS

CIVIL ACTION NO. CI- 2021-0245 J.

J. C. PENNEY CORPORATION, INC.

DEFENDANT

SUMMONS

THE STATE OF MISSISSIPPI

TO: J. C. PENNEY CORPORATION, INC.

Through its agent for service of process CT Corporation System 645 Lakeland East Drive, Suite 101 Flowood, MS 39232

NOTICE TO DEFENDANT(S)

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand deliver a copy of a written response to the Complaint to Lauren Cavalier of Dudley DeBosier Injury Lawyers, the attorney for the Plaintiffs), whose post office address and street address is 1075 Government Street, Baton Rouge, LA 70802. Your response must be mailed or delivered within (30) days from the date of delivery of this summons and complaint or a judgment by default will be entered against you for the money or other things demanded in

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand

2021.

Court, this day of

County,

Madison

(Seal)